

CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT

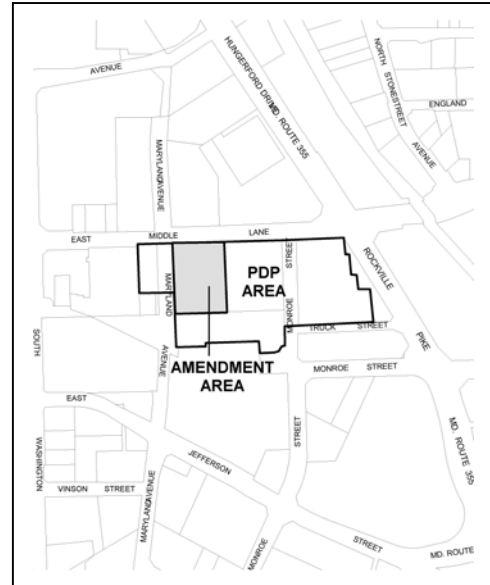
October 21, 2004

SUBJECT:

PDP1994-0001E, 196 East Montgomery Avenue
Rockville, Maryland 20850

Applicant: Rockville Renaissance West LLC
c/o Akridge Development Co.
601 13th Street, Northwest
Washington, D.C. 20005

Property
Owner: Rockville Renaissance West
c/o Blackacre Capital Partnership
299 Park Avenue, 23rd Floor
New York, New York, 10171



Planning Commission Meeting: October 27, 2004
Mayor & Council Meeting: November 1, 2004

INTRODUCTION

In accordance with Section 25-682(b) of the Zoning Ordinance, a joint work session was held between Planning Commission and Mayor & Council on September 20th 2004, where the applicant and staff presented an overview of the referenced development proposal. The applicant seeks approval to develop the referenced property with a high-rise residential condominium development containing 285 units, with approximately 20,000 square feet of retail floor space located on the ground level of the development. The subject property (herein referenced as Parcel 2J/Block 3) is currently approved for development for office and ancillary retail land use (ref. PDP1994-0001).

Following staff and the applicant's presentation, Planning Commission members along with the Mayor and Council voiced a number of concerns with the development proposal, which included but was not limited to the following: a) proposed height and mass of the buildings, b) living units likely unaffordable for young families with children, c) displacement and loss of parking facilities during site construction, d) impact of development (if any) on County schools, d) lack of open/green space, e) amount of proposed retail floor space seems inadequate, based on the site's location (within the Town Center), etc.

In response to the issues raised by the Planning Commission and Mayor and Council, the applicant presented several building redesign alternatives of the proposed residential and retail

development, at its October 13th 2004 meeting. The purpose of the meeting was to obtain additional guidance from the Planning Commission with regard to the ultimate design of the development, prior to formal consideration by both the Commission and Mayor and Council. Design elements of the initial development proposal are provided along with the amended proposal, in order to illustrate how the applicant has attempted to address a number of the physical design issues that have been raised by the Mayor and Council and Planning Commission in its brief review of the proposal.

The application has been filed by Rockville Renaissance West LLC, through Akridge Development Company as an amendment to the approved Preliminary Development Plan (PDP) for Rockville Center. The property referenced herein as Block 3/Parcel 2-J, is bounded by East Montgomery Avenue, Maryland Avenue, East Middle Lane, and proposed Renaissance Street. The amendment is limited to this block. The result of this amendment will be a modification of the mix of approved land uses, total amount of development, and the required number of parking spaces for the entire approved PDP. The applicant has a development option for Block 2/Parcel 2-K (the block east of Renaissance Street), which is owned by Tower 2 Associates, but is not proposing changes on that block at this time.

PREVIOUS RELATED ACTION:

Preliminary Development Plan PDP1994-0001, Rockville Center Inc. - a proposal to redevelop the former Rockville Mall site; developing up to 1,274,625 square feet of office space, 148,997 square feet of retail space, and 117 residential units. Approved by the Planning Commission on April 27, 1994.

Preliminary Development Plan Amendment PDP1994-0001A, Rockville Center Inc. – relocation of approved uses and densities in Rockville Center, including 1,261,411 square feet of office space, 94,035 square feet of retail space, 43,804 square feet of restaurant space, 67,370 square feet of theater space, and a minimum of 117 dwelling units. Approved by the Planning Commission on June 19, 1996.

Use Permit USE96-0565, Rockville Center Inc. - a proposal to construct 105,477 square feet of restaurant and movie theater building space along with site surface parking facilities, in the TCM-2 (Town Center Mixed) Zone. Approved by the Planning Commission on July 5, 1996.

Preliminary Development Plan Amendment PDP1994-0001B, Rockville Center Inc. – modification of the approved “required traffic impact mitigation measures and transportation demand program elements” in conjunction with Use Permit USE98-0583 for the first office building. Approved by the Planning Commission on July 22, 1998.

Preliminary Development Plan Amendment PDP1994-0001C and Use Permit Amendment USA1996-0565A, Pavilion Partners, Inc. – a change in use from restaurant to office and health and

fitness establishment on the second floor of the Rockville Center Retail Pavilion. The proposed change required an amendment of the approved “preliminary development plan” to redistribute the office and restaurant uses within the development. Approved by the Planning Commission August 2, 2000.

Preliminary Development Plan Amendment PDP1994-0001D, Pavilion Partners, Inc. – a change in use of 13,500 square feet of health and fitness establishment space, to office use, located on the second floor of the Rockville Center Retail Pavilion. Proposal also included, construction of a 1,200 square foot breezeway to connect the office spaces at either end of the second level. Approved by the Planning Commission on September 4, 2002.

REQUEST:

The application as submitted, is an amendment to previously approved Preliminary Development Plan for the Rockville Center Project (PDP94-0001), as amended. The subject amendment, is a proposal to redevelop Parcel 2-J or Block 3, as referenced in the originally approved PDP94-0001, from its previously approved land use of “office and retail” to a mixed use development of primarily residential, with street level commercial, residential amenity facilities, and structured parking facilities. The subject request is submitted in accordance with requirements of Section 25-682 of the City’s Zoning Ordinance.

STAFF RECOMMENDATION:

Approval is recommended subject to the following conditions:

1. The Community Planning Division requires the applicant provide the following information and/or action be taken:
 - a. Amend the illustrative building elevation drawings and floor plan to reflect the amended site plan submitted to staff on October 18th 2004.
 - b. Amend the overall site plan of the total Preliminary Development Plan (PDP) project area to illustrate the proposed site development and the development approved and/or constructed on other parcels/blocks that make up the PDP area.
 - c. Provide for approval with subsequent use permit/s, an interim parking management plan that identifies the total number, and location of where parking will be provided, due to the displacement of the existing parking lot now located on the subject site.
 - d. Comply with requirements of the City’s construction codes, fire code, life safety code, state accessibility code, and federal requirements of the American with Disabilities Act (ADA).

2. The Department of Public Works (DPW) requires the following information be provided and/or action be taken:

- a. Provide cross sections for all sidewalks that will be located along all site street frontages.
- b. Denote on subsequent use permit plans how the east parking lot (Parcel 2-K) will be accessed during construction of the subject site and after development is completed.
- c. Provide ten foot wide Public Utility Easements on East Middle Lane and Maryland Avenue.
- d. Renaissance Street must be designed to accommodate through vehicular traffic to City standards, as approved by DPW, in the event East Montgomery Avenue is closed for special events. Mountable curbs or removable bollards could be used to restrict and control vehicle movements between the proposed garage access point and bulb turnaround at East Middle and Renaissance Street. The detailed designed to be approved on subsequent use permit.
- e. Applicant and/or its assigns will agree to enter into the Town Center Maintenance District, if it is expanded to this block.
- f. Contribute \$135,000 towards transportation improvements in the Town Center Planning Area prior to the issuance of building permits
- g. Contribute \$94,249 toward pedestrian and bike improvements being constructed at the intersection of Md. Route 28/Great Falls Road prior to issuance of building permits.
- h. Contribute \$80,000 towards traffic calming in the surrounding neighborhoods prior to the issuance of building permits
- i. Provide for a minimum of eight feet of clear pedestrian zone and seven feet of tree/amenity zone along all site frontages. Trees are not required on E. Montgomery Avenue and Renaissance Street due to underground structures.
- j. Provide stormwater management (SWM) for the planned site development. SWM must be provided in accordance with City code and Maryland SWM regulations established in the year 2000. The applicant must provide a SWM concept plan as per submission requirements established by DPW. The concept plan shall also include a summary of SWM for the subject site.
- k. Provide a construction-staging plan to be approved by DPW, with each use permit, to ensure the availability of adequate parking and safe pedestrian access, throughout all stages

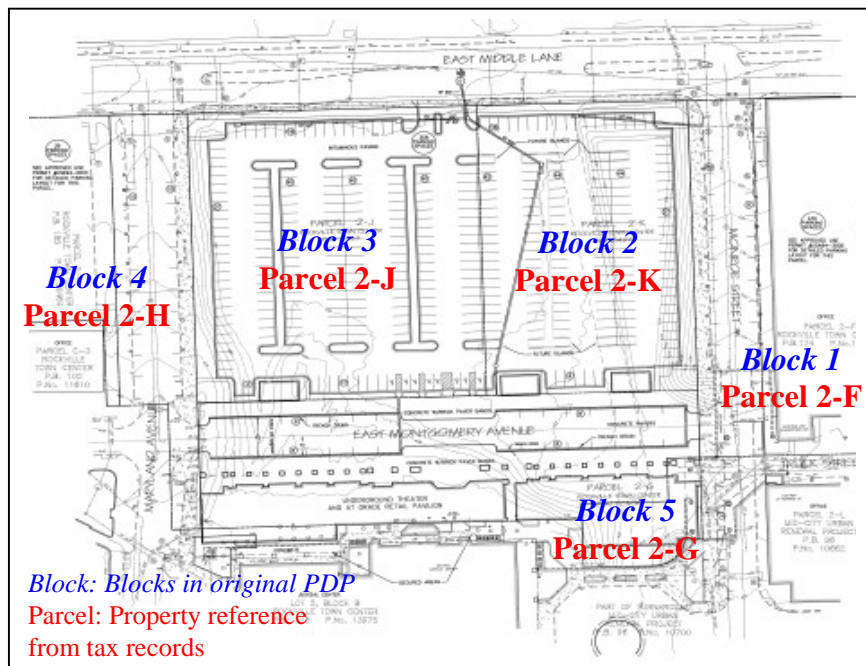
of construction.

3. The Department of Recreation and Parks require the applicant to:

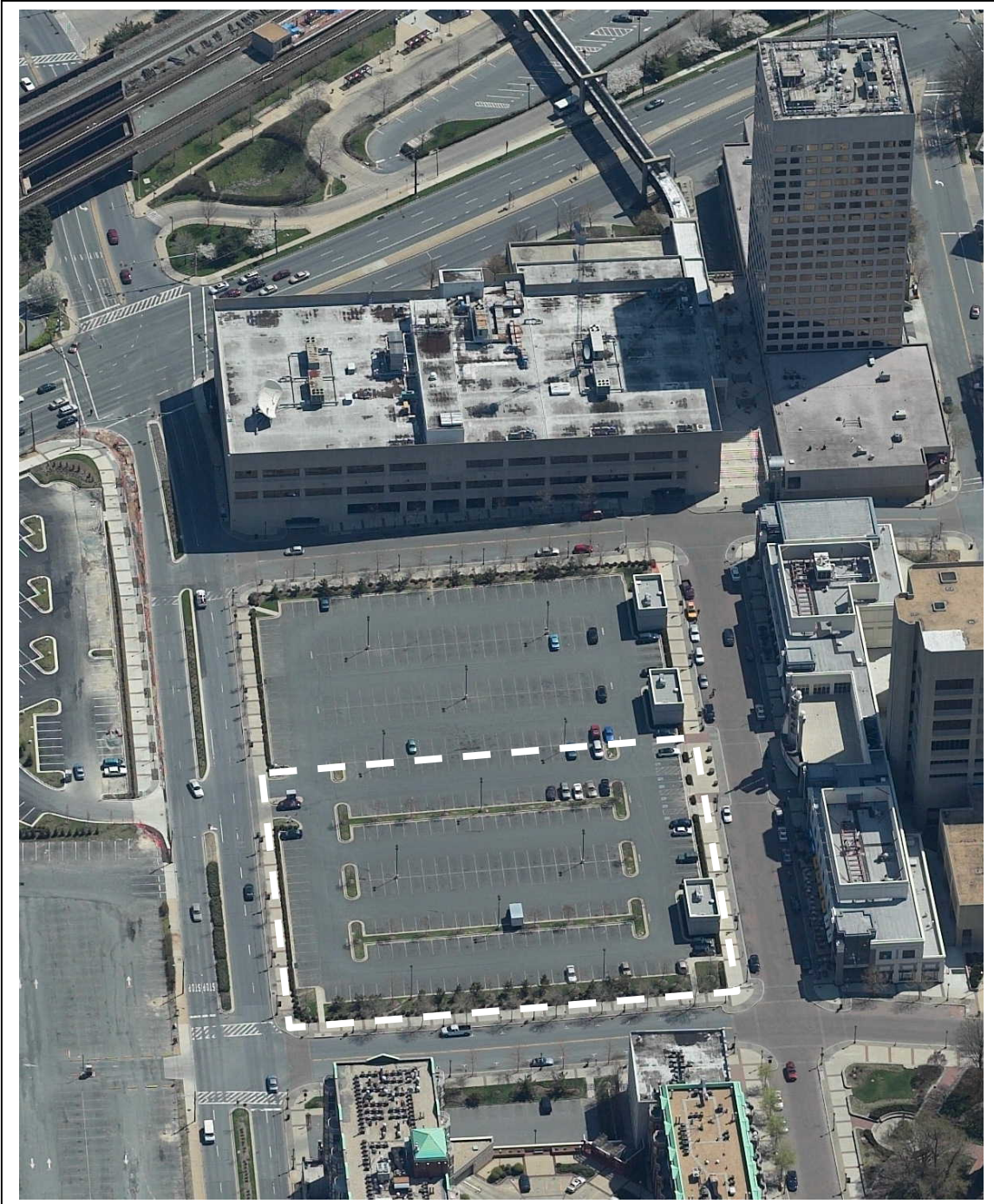
- a. Comply with Art in Private Development requirements, which will be determined by the total number of residential living units (excluding MPDUs) and amount of retail floor space constructed under the proposed site development.

Property/Site Description

The subject property is rectangular in shape, approximately 78,933 square feet (1.8 acres) in size, and currently improved as a surface parking lot containing approximately 203 vehicular parking spaces. The property is bounded to the north by East Middle Lane and currently developing Town Square project, to the east by office uses located on Monroe Street, to the south by the Regal Theater and accompanying commercial land uses along East Montgomery Avenue, and to the west by office, institutional, and residential land uses located along Maryland Avenue. The subject site (Parcel 2-J) also includes the Renaissance Street public use surface easement, which separates the site from Parcel 2-K, which is also an improved surface parking facility. The easement area totals 17,740 square feet and is expected to serve in part as pedestrian space and as a vehicular ingress/egress to the proposed site development.



Existing Site Layout



Aerial Overview of Site (Parcel 2-J)

COMPARISON OF PRELIMINARY DEVELOPMENT PLAN TO USE PERMIT

Development utilizing the optional method of development in the Town Center Mixed Use – 2 (TMC-2) zone is approved in a two-step process. The first step is the preliminary development (PDP) plan and the second step is a use permit. The PDP establishes overall development program at a concept-plan level. As with the recent PDP approvals for the Town Square and KSI projects the applicant has submitted an illustrative plan that shows the architectural approach planned by the applicant. The illustrative plan is for informational purposes and does not get approved as part of a PDP. The use permit approves the detailed site plan and appearance of buildings. A comparison of the submission requirements for PDPs and Use Permits is contained in Attachment “F.”

The Mayor and Council adopted Text Amendment TXT2004-00212 on August 2, 2004. This text amendment modified the approval procedures for all optional method of development applications in the City, including the preliminary development plan (PDP) process in the Town Center. The new process requires a joint work session with the Mayor and Council and Planning Commission before or soon after the filing of an application, a recommendation from the Planning Commission and action by the Mayor and Council. This application was filed prior to that requirement. Thus, a work session with the Planning Commission and Mayor and Council was held on September 20th 2004, to allow joint comment on the project prior to a formal recommendation by the Planning Commission and action by the Mayor and Council.

PRELIMINARY DEVELOPMENT PLAN REQUIRED FINDINGS

In accordance with Section 25-683(b) of the City of Rockville Zoning Ordinance, the Mayor & Council may authorize optional method of development only if it determines that the proposed development is in substantial accordance with the Plan and with the intent and purpose of the Ordinance, and is compatible with adjacent existing and permitted uses and developments. In making such determination, the Mayor & Council shall consider:

- (1) Provision made for traffic impact mitigation, open space, pedestrian circulation, and environmental amenities;
- (2) The particular dimensions, grade and orientation of the site, and the location and height of existing and proposed development in the Town Center Planning Area;
- (3) The finding and requirements necessary for the approval of a preliminary plan under Article XV of the Ordinance.

Also, in accordance with Article XV (Section 25-727(e) of the Ordinance, a preliminary plan shall be approved if the Planning Commission finds that the proposed subdivision will not:

- (1) Constitute a violation of any provision of the Ordinance or other applicable law;
- (2) Violate or adversely affect the Plan;
- (3) Overburden existing public services, including but not limited to water, sanitary sewer, public roads, storm drainage and other public improvements;
- (4) Affect adversely the health or safety of persons residing or working in the subdivision or neighborhood;
- (5) Be detrimental to the public welfare or injurious to property or improvements in the neighborhood;
- (6) Be unsuitable for the type of development, the use contemplated, and available public utilities and services; or
- (7) Unreasonably disturb existing topography, in order to minimize stormwater runoff and to conserve the vegetation cover and soil.

The proposed application complies with these findings. In general the amendment reduces potential adverse impacts of the approved preliminary development plan and more effectively achieves the goals of the 2001 Town Center Master Plan.

THE TRANSITION & DEVELOPMENT AGREEMENT – RELEVANT PROVISIONS

This property is subject to the provisions of the Transition and Development Agreement (TDA) entered into by the Mayor and Council and Rockville Center, Inc. (RCI), a predecessor in title to Rockville Renaissance West, LLC. The TDA was executed July 13, 1993, amended February 14, 1997, and amended once again August 26, 1999. Having received a Certificate of Completion June 20, 2001, the TDA remains in effect until June 21, 2021. The approval of the TDA and its accompanying PDP provided for the development of a five (5) block site. The agreement requires that RCI, and its successors; perform certain actions as part of the approval of a new mixed-use development plan conceptually containing 1,234,000 s.f. of office space, 192,000 s.f. of retail space, of retail, 120,000 s.f. of residential, and 2,160 parking space uses (TDA, Exhibit 9 Development Plan). Among the notable requirements were:

1. Demolition of the Rockville Mall.
2. Traffic Improvements, as part of a Transportation Demand Management (TDM) program, required of RCI in the routine review process for Use Permit approval.
3. Gathering Spaces including Courthouse Square Park, East Montgomery Avenue between Maryland Avenue and Monroe Street extended, and Metro Plaza Promenade access improvement to the pedestrian crosswalk over Hungerford Drive.

4. Monroe Street pedestrian elevator and stair improvements to Metro Plaza Promenade.
5. Parking expansion utilizing Middle Lane Lot in front of Retail Pavilion and
6. The extensions of East Montgomery Ave. (above), Monroe St., Center St. (Renaissance St.), and Maryland Ave.

In addition, the TDA contains a number of provisions that are worth noting regarding this proposed amendment. These include:

The City is required to indicate what changes are needed to make the application approvable. The TDA (Section 7.08.B) requires the City indicate specific reasons why an application is denied and note the changes required to make an application approvable. If the Mayor and Council find the application does not meet the required findings needed to approve an application, then the necessary changes must be identified in writing. For practical purposes, minor changes can be accommodated through an approval with additional conditions. More substantial changes, where the Mayor and Council desires to see the impact of various recommended changes prior to approval, can also be accommodated by providing direction in the absence of a formal vote to deny an application. In that case, the applicant would revise the application and present the changes to the Mayor and Council.

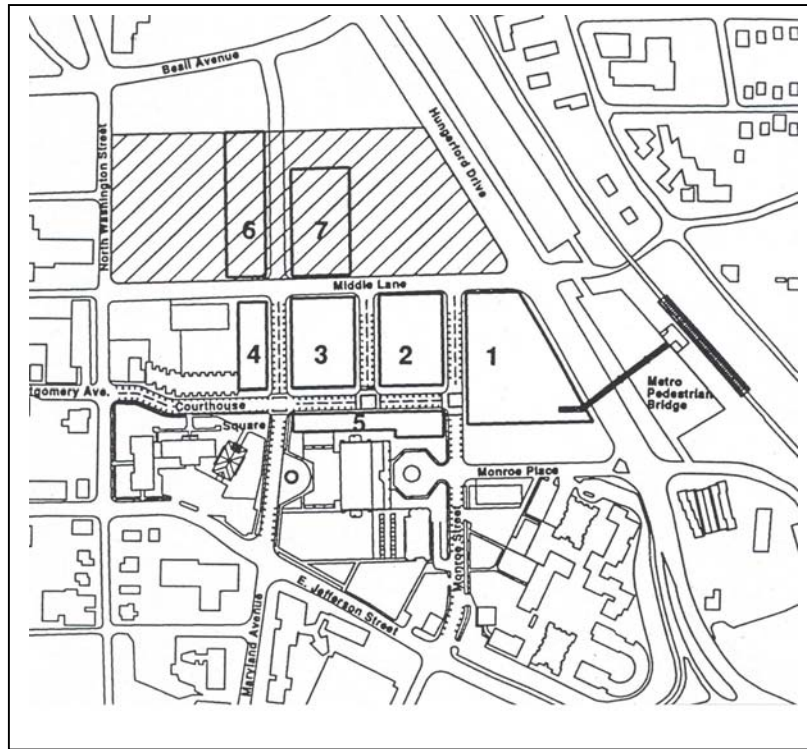
Development Standards. The City approved the use of Critical Development Standards as a basis for evaluating applications submitted by RCI and its successors (TDA, Section 5.04). The TDA required the City accept and process applications for development and use permits as well as processing text amendments to achieve the Critical Development Standards, which are based on the following criteria:

1. Floor Area Ratio (FAR) and Individual Lot Density: As of the effective date of the TDA, zoning allowed an overall FAR of 6 for development in the Town Center Mixed Use-2 (TCM-2) zone utilizing the optional method of development. This calculation did not permit the averaging of varied densities across each lot in a proposed development. The Zoning Ordinance now permits the overall Development Plan FAR to be calculated over the total gross acreage of RCI's property prior to subdivision and dedication of public improvements considered by the TDA.

2. Height: The overall dimensions for buildings to be constructed in this development proposal shall not exceed the following maximum height restrictions:

Block	Maximum Height
1,2,3,7	235 feet above 448 foot elevation
4	100 feet above 448 foot elevation
5	40 feet above 448 foot elevation
6	80 feet above 448 foot elevation

*All heights to measured from the 448-foot elevation



Area Site Plan - Transition and Development Agreement, 1993

3. Reduction in the Off-Street Parking Requirement: Applications for this development plan are based on a 40% reduction in off-street parking requirements due to its proximity to the Rockville Metro Station.

Collectively, these criteria establish the Critical Development Standards, however, it should be noted that these provisions do not exempt the development proposal from other planning and zoning regulations.

Parking can be provided anywhere within the envelope of lots contained in the PDP. The PDP allows the off-street parking requirements to be met by the project as a whole. The lot that contains the Retail Pavilion (Regal Cinemas, shops, and offices) contains no parking spaces. The required spaces are provided in the rest of the development. As part of the proposed development's parking, more spaces will be constructed than required to serve the development on that lot. These additional spaces will be used to meet the parking requirements of retail and office uses on other lots.

Subterranean Easement. The City and Rockville Center, Inc., former owner of the subject site, entered into a "construction agreement" for public improvements on June 20, 1994. This

agreement allowed for the construction of certain infrastructure improvements, within the Town Center. Specifically, Maryland Avenue's dedicated right-of-way from Jefferson Street to Middle Lane was created. In considering how this arrangement would affect the ability to place underground parking facilities on private property, the applicant requested a subterranean easement be placed on the portion of Maryland Avenue for the purpose of maximizing the area available for parking and other facilities. As a result there exists a 14 foot wide by 6 foot deep "reserved area" below the surface of Maryland Avenue's sidewalk from the intersection of East Montgomery Avenue to East Middle Lane, that can accommodate utilities. This allows the applicant to place proposed below grade parking in the area directly underneath this easement.

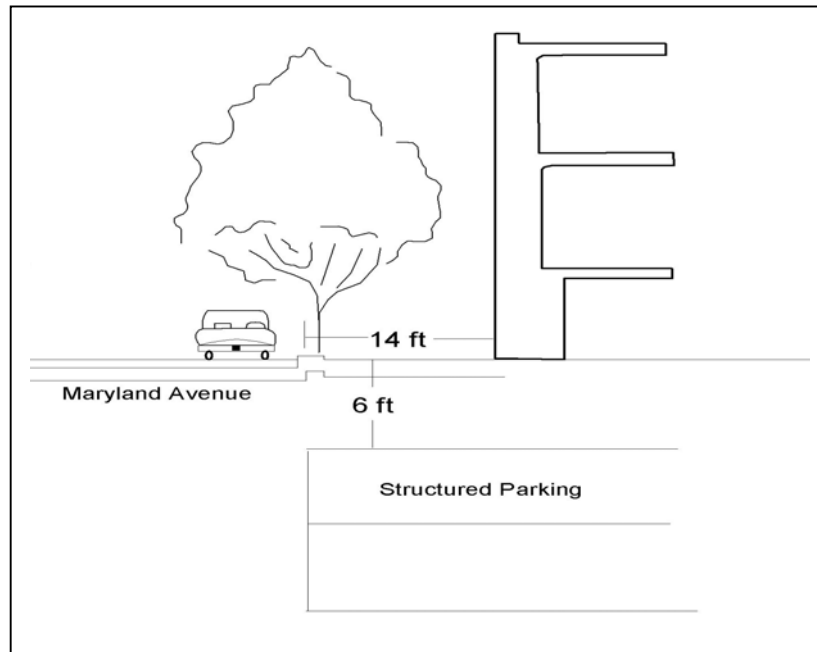


Illustration of Subterranean Easement Area Along Maryland Avenue

Penalty if City Precludes Implementation. In the event of default by the City, the TDA (Section 16) provides RCI any remedy for damages available at law or in equity, provided however, the City's liability for monetary damages are limited to \$3.5 million.

PDP Approval. Most of these provisions were carried forth to the optional method provisions and subsequent PDP approval. This approval specifies the amount of development by use for each block (See chart on next page).

Block	Land Uses	Approved	Proposed
		Gross Floor Area (sf)/DU	Gross Floor Area (sf)/DU
Block 1/Parcel 2-F	Office	394,261	394,261
	Retail	27,500	27,500
	Retail (Restaurant)	9,200	9,200
	Subtotal	430,961	430,961
Block 2/Parcel 2-K	Office	480,375	480,375
	Retail	18,525	18,525
	Retail (Restaurant)	13,500	13,500
	Subtotal	507,900	507,900
Block 3/Parcel 2-J	Office	362,875	0
	Retail	36,750	20,000
	Residential	0	285 DU
	Subtotal	405,325	285 DU/ 20,000
Block 4/Parcel 2-H	Residential	117 DU (mini)	117 DU (min)
	Retail	11,260	11,260
	Subtotal	117 DU/ 11,260	117 DU/ 11,260
Block 5/Parcel 2-G	Office	25,700	25,700
	Retail (Fitness)	0	0
	Retail (Restaurant)	19,306	19,306
	Theater	67,370	67,370
	Subtotal	112,376	112,376
Net Total	Office	1,263,211	900,336
	Retail	94,035	77,285
	Retail (Fitness)	0	0
	Retail (Restaurant)	42,006	42,006
	Residential	117 DU	402 DU
	Theater	67,370	67,370
Gross Total		117 DU/ 1,466,622	402 DU/ 1,086,997

ISSUES – CURRENT SITE PROPOSAL

As noted, the application proposes a change in the approved land uses for Block #3, covered by the Preliminary Development Plan approved for Rockville Center, Incorporated (RCI). The applicant (Rockville Renaissance West LLC, Inc. has an interest in Block #3/Parcel 2-J, with a development option on Block 2/Parcel 2-K. Tower 2 Associates, Inc. owns Block 2/Parcel 2-K. As such, the scope of the amendment is limited to Block #3/Parcel 2-J. The development totals for the entire project will be amended based on what is approved by the Mayor and Council for this block.

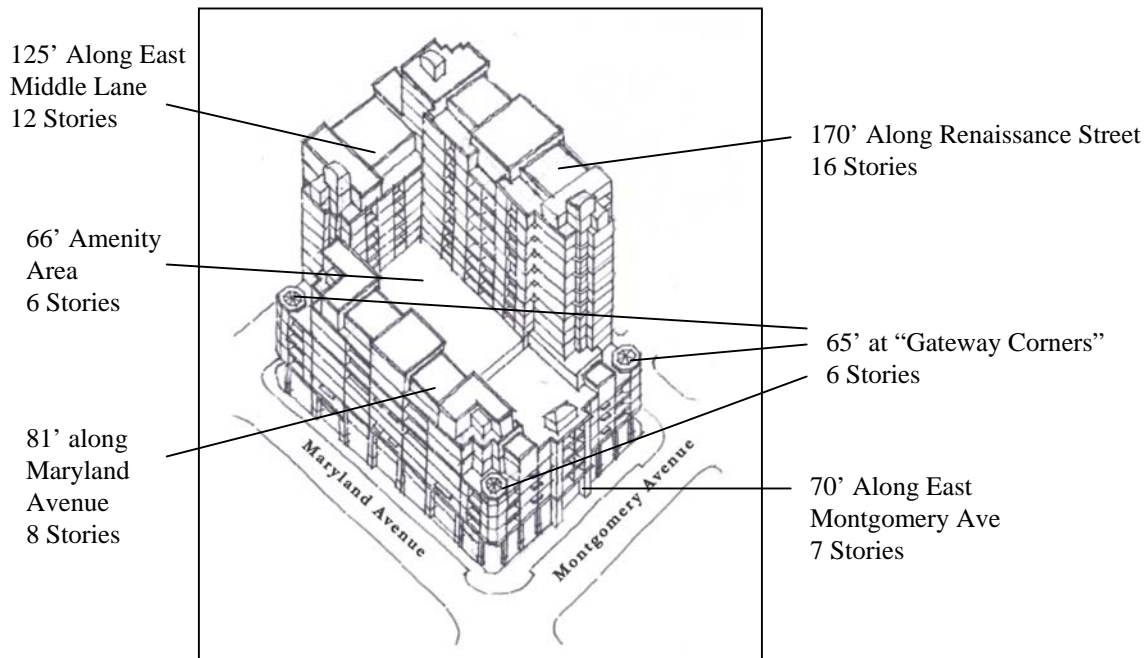
1. Mix of Uses. A total of 1,263,211 square feet of office space and a total of 136,041 square feet of retail space are approved for the overall PDP project area (ref. PDP94-001D). Prior

approval allowed for 362,875 square feet of office space and 36,750 square feet of retail space to be developed on Block 3/Parcel 2-J. The proposed amendment as submitted reduces the total amount of office space approved in the overall PDP by 362,875 square feet. Under the amendment as initially submitted, the applicant proposed to construct 17,340 square feet of retail space in lieu of the 36,750 square feet allowed to be constructed on Block 3/Parcel 2-J. Also, under the initial request, the applicant proposed to construct 299 multi family dwelling units, in addition to the 117 units approved for the Block 4/Parcel 2-H of the PDP site area.

However, based on issues and concerns that the Mayor & Council and Planning Commission raised at its joint work session on September 20th 2004 and at the Commission's October 13th 2004 meeting, the applicant has amended the application as follows: a) Reduced the number of number of residential living units from 299 to 285, b) increased the amount of retail space from 17,340 to 20,000 square feet of floor area, and c) redesigned the building by lowering building heights as described in the applicant's correspondence dated October 18, 2004 (See Attachment "A").

2. Building Envelope. The proposed amendment reduces the height and volume of the "loose sweater" that was approved in 1994. This provided for a 142-foot height along Maryland Avenue and a 212-foot height along Renaissance Street. The approved and proposed building heights comply with the maximum height (235 feet) permitted in the approved preliminary development plan on this site. The maximum height permitted in the TCM-2 zone is 235 feet, as measured from 448 feet above sea level. The Mayor and Council are currently considering a text amendment to modify the height measurement requirements to remove the ability to use the 448 feet of above sea level measurement point.

A. Reduced PDP Building Height – Under the initial submission, the proposed building heights on this block would have ranged from 55 feet for the "gateway corners" to 190 feet along Renaissance Street. However, based on feedback and guidance provided by the Mayor & Council and Planning Commission, the proposed building heights of the planned development would range from 65 feet at the "gateway corners" to 170 feet along Renaissance Street. Thus, the applicant has attempted to modify and reduce the height of the proposed project development, based on feedback and statements received by the Mayor and Council and Planning Commission.



Illustrative Axonometric of Proposed Residential Development

Note: Sketch shows original submission- Text shows revisions

B. Building Massing – A concern associated with the building envelope is the massing of the buildings. Staff has heard a variety of comments regarding the difference between the proposed buildings and the other mixed-use residential buildings across Middle Lane and at the Victoria. The applicant prepared a model of the proposal, which can be attached to the proposed Town Square development model to make it easier to evaluate the relationship. The two basic concerns that were identified with regard to the buildings design, was the overall height of the tallest tower and whether the buildings should be closer together in height or maintain the current proposed variation. The applicant submitted the variation in height to provide a range of unit types, variety of views, visual interest and to reduce the bulk of the building, which would result if the whole block were uniform in height.

C. Architectural Variety - The third issue associated with the building envelope is whether the block should appear as a single, architecturally consistent development or appear to be comprised of multiple buildings built over time. Although the actual architecture is not approved during the PDP, staff believes it is appropriate to provide the applicant guidance on this issue to guide the preparation and review of the use permit. Consistent with the approach approved in the Town Square development, staff supports providing the appearance of multiple buildings of varying styles to provide the variety, visual interest, and appearance of a block that developed over time. It is important to note that the building styles may change at locations that make architectural sense. The

varying street-level grades, varying building heights, and frontage on four streets provide a number of options to achieve this goal.

3. Renaissance Street. The existing parking lot contains a private right-of-way with a public access easement that runs from East Montgomery Avenue to Middle Lane between the Regal marquee and the vehicular entrance to the parking lot. This street connection was required as part of the original PDP to provide vehicular and pedestrian circulation. The applicant has proposed shifting the emphasis of the right-of-way from the appearance of a street to that of a pedestrian area that will occasionally have vehicular traffic. The southern portion of the street will contain a vehicular access point to the parking garages that serve the residences (on the Middle Lane side) and the retail pavilion (on the East Montgomery Avenue side). The applicant envisions the center section of Renaissance Street to function in most part as a linear pedestrian plaza that would be a suitable location for art as recommended in the draft *Town Center Arts Master Plan*.

The Department of Public Works Traffic and Transportation staff has reviewed the proposal to determine if Renaissance Street is needed for ongoing vehicular circulation and capacity. DPW staff supports the design and has recommended that Renaissance Street be designed to accommodate through vehicle traffic for access to the parking garage when East Montgomery Avenue is closed off for events, as well as to allow for the possible future use of the street for vehicle traffic.

4. Sidewalk Widths. The widths of sidewalks have been an issue in the Town Square and KSI preliminary development plans. The *Town Center Master Plan* contains specific guidance on the distance from the face of the curb to the face of the building for Maryland Avenue, north of Middle Lane (20-23 feet total with 15 foot pedestrian zone with sidewalk cafe) and North Washington Street (12-15 feet). The *Town Center Master Plan* does not contain specific guidance for sidewalk widths along East Montgomery Avenue, Middle Lane, or Renaissance Street.

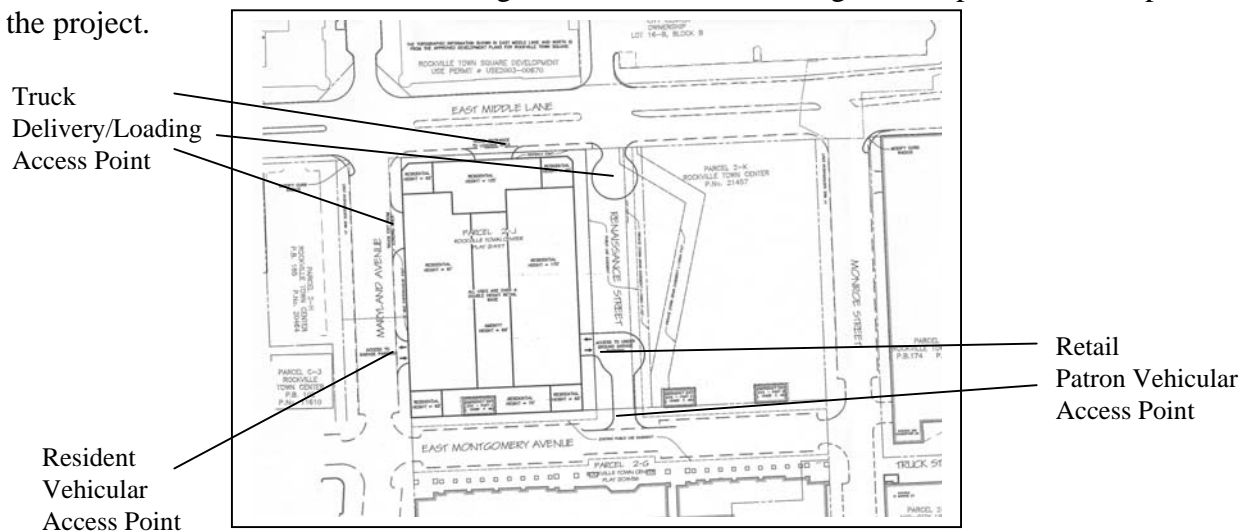
Sidewalks have already been constructed on three sides of the property to implement the approved preliminary development plan for the Rockville Center development. As constructed, they provide ten (10) feet of pedestrian travel way and five (5) foot tree panels, next to the curb. During discussions of the recently approved PDPs, the goal has been to achieve at least 15 feet between building faces and the face of the curb in the Town Center. On streets with on-street parking, seven (7) foot wide tree panels are used to allow pedestrians to reach parked cars without walking on grass or dirt and to provide outdoor seating opportunities. Seven (7) foot wide tree panels are used where no on-street parking is permitted.

On the Town Square PDP, minimum unobstructed pedestrian pathways are required to be six (6) to nine (9) feet wide with the remaining width used for outdoor seating, trees, parking meters, light poles, bike racks, etc. Total minimum widths ranged from ten (10) to twenty (20) feet.

Staff recommends the sidewalks proposed for the subject development must have a minimum eight (8) foot wide unobstructed path for pedestrian flow, with an accompanying minimum seven (7) foot wide tree planting strip, for both site frontages on East Middle Land and Maryland Avenue. With the ten (10) foot wide public utility easement mostly under the sidewalk, the total distance between the curb and proposed building increases from 14 to 17 feet. Sidewalks located along East Montgomery Avenue and Renaissance Street, which are not public streets, must have a minimum eight (8) foot wide unobstructed pathway for pedestrian movement, accompanied by a minimum seven (7) foot wide amenity space.

5. Parking, Access, Site Circulation. Currently, there are 203 surface parking spaces on the subject site (Parcel 2-J) used in part to satisfy the parking requirements for the Retail Pavilion located on the south side of East Montgomery Avenue. The applicant proposes to construct a minimum of parking 709 spaces, contained in a structured facility, located internally within the project development. The configuration will comprise two below-grade levels with one ground level and multiple above ground level parking. During construction, the applicant will temporarily relocate all 203 parking spaces required for use and operation of the Retail Pavilion.

There will be two separate and exclusive access points proposed for separating resident and retail patron vehicles. Patrons of both the Retail Pavilion and retail uses within the project would access below grade parking via East Montgomery Avenue and Renaissance Street. Staff notes that both East Montgomery Avenue and proposed Renaissance Street are located within public use easements as opposed to being located within publicly dedicated rights-of-way. Residents would access above ground parking from Maryland Avenue. A loading area for both residential and retail uses is designed to have trucks enter along Middle Lane and exit onto Maryland Avenue. In addition, a cul-de-sac delivery area access is provided from Middle Lane onto Renaissance Street. The detailed design will be reviewed during the use permit review phase of the project.



Proposed PDP94-0001E Site Plan

Required Parking For Uses On Block 1/Parcel 2-F								
	Approved	Proposed	Approved	Proposed	Approved	Proposed	Approved	Proposed
USE	(sf)/DU/Theater	Area (sf)/DU	Parking Req	Parking Req	Req # of Spaces	Req # of Spaces	Req # of Space @ 40%	Req # of Spaces @ 40%
Acc. Restaurant- Transit	1,720	1,720	1 sp/5 emp.	1 sp/5 emp.	1		1	1
Office	125,275	125,275	1 sp/300 sf	1 sp/300 sf	418	418	251	251
Club (Fitness Center)	12,679	12,679	1 sp/200 sf	1 sp/200 sf	64	64	38	38
TOTAL					483		290	290
Required Parking For Uses On Block 5/Parcel 2-G								
Restaurant								
Patron Area	6,435	1 sp/50sf patron area			129		78	
Employees	20 emp.	1 sp/2 emp.			10		6	
Outdoor Seating	2,400	1 sp/80 sf patron area			30		18	
Retail	700	1 sp/200			4		3	
Theater								
Auditorium Seats	2,495	1 sp/4 seats			624		374	
Employees	30 emp.	1 sp/2 emp.			15		9	
Office	25,844	1 sp/300 sf			87		52	
TOTAL					899		540	
Required Parking For Uses On Block 2/Parcel 2-K								
No Development								
Total							158	158
Required Parking For Uses On Parcel 2-L 51 Monroe)								
Office Use Spaces Per Agreement Between Property Owners							138	138
TOTAL							138	138
Required Parking For Uses On Block 3/Parcel 2-J								
Office	362,875	0	1 sp/300 sf					
Restaurant	(8,550 total)							
Patron Area		4,275	1 sp/50sf patron area			86		52
Employees		28	1 sp/2 emp.			14		8
Outdoor Seating		2,000	1 sp/80 sf patron area			25		15
Retail	36,750	11,450	1 sp/200			58		35
Residential								
Condominiums (1 BR)	0	128 DU	1.25 sp/1 Bdrm			160		160
Condominiums (2 BR+)	0	157 DU	1.50 sp/2 Bdrm			236		236
NET TOTAL						579		506
Replaced PDP Parking						203		203
TOTAL						782		709
Shared Parking Tabulation Per Sec. 25-693 Zoning Ordinance								
Aggregate Use	Net Spaces	Weekday		Weekday		Nighttime		
		Daytime	Evening	Daytime	Evening			
		6 AM - 6 PM	6 PM - Midnight	6 AM - 6 PM	6 PM - Midnight	Midnight - 6 AM		
Parcel 2-L (51 Monroe)	138	138	138	138	138	138		
Office	303	303	31	31	16	16		
Retail	38	19	35	38	27	2		
Restaurant	177	89	177	177	177	18		
Accessory Restaurant- Tra	1	1	1	1	1	0		
Residential	396	238	357	317	357	396		
Theater	383	153	383	307	383	38		
Club (Fitness Center)	38	19	38	38	38	4		
Total	1,474	960	1,160	1,047	1,137	612		
Highest Number of Parking Spaces: Weekday Evening at 1,160 spaces throughout PDP								
Provided Parking	Spaces							
Block 1/Parcel 2-F	435							
Block 2/Parcel 2-K	158							
Block 3/Parcel 2-J	709							
Block 4/Parcel 2-H	39							
Block 5/Parcel 2-G	0							
1,341 parking spa (181 Surplus)								

Listed above is the parking tabulation for the overall PDP, which includes the subject site. Parking for the entire PDP area is calculated using a waiver for a 40% reduction in the number of spaces required for nonresidential uses granted by the Mayor & Council in 1994. The approved PDP, under the optional method of development, also utilizes the shared parking calculation for uses at different times of the day allowed under Section 25-693 of the Zoning Ordinance

6. Reduction in Site Generated Vehicular Traffic. Under the proposal as initially submitted, the proposed development was to contain 292 residential condominium units, 7 townhouse/loft type units, and 17,340 square feet of retail space. As noted, based on feedback received from the Mayor & Council and Planning Commission, the applicant has amended the proposal, which now calls for 285 residential living units and 20,000 square feet of retail space. If approved, the subject proposal would replace the 368,575 square feet of office space and 36,750 square feet of retail space currently approved for the subject site/parcel. As per the traffic analysis provided by the applicant, the City's Traffic & Transportation staff have determined that under the approved office/retail plan for the subject site, there would be 258 vehicle trips generated in the a.m. peak hour and approximately 398 in the p.m. peak hour. However, under the amended residential/retail plan for the site, it is projected that 123 trips would be generated in the a.m. peak hour and 163 vehicle trips in the p.m. peak hour. Thus, under the subject proposal, there would be a reduction of 135 trips in the a.m. peak hour and 235 vehicle trips in the p.m. peak hour, generated from the proposed use when compared to the office/retail development currently approved for the site (See Attachment "E").

7. Projected Student Generation from Proposed Site Development. Montgomery County Public Schools will provide student projections from this proposed residential development, in its review of the use permit application. The Mayor & Council and Planning Commission expressed concerns about the accuracy of the methodology used by County School system to project student enrollment.

8. Shadow Impact Study. In accordance with Section 25-682(4) of the Zoning Ordinance the applicant was required and did complete a shadow study which analyzed the probable shadows cast by the planned site development on December 21st between 10:00 a.m. and 2:00 p.m. on existing or approved residential structures during said time frame. The approved PDP predates the Town Square development, which will include a residential component, located on the north side of East Middle lane, opposite the subject site. The requested change in use from the approved office component to residential for Parcel 2-J reduces the extent of the shadows shown in the previous shadow study and therefore is not applicable under the request as submitted (See Attachment "D").

Rockville Town Center Master Plan & Design Guidelines

This amendment is the first for the Rockville Center project since the adoption of the Town Center Master Plan. The overall Master Plan goal is to create a daytime, evening, and weekend

activity center that is easily identifiable, pedestrian oriented, and incorporates a mix of uses and activities. The subject site lies within the Town Center Planning Area as well as its Urban Design Overlay District. The following features are consistent with the guiding principles detailed in the plan.

- Maryland Avenue and East Montgomery are treated as the new Main Street for Town Center. Together, these streets create a pedestrian spine activated by pedestrian activities with street level commercial retail uses. The organization of uses will accommodate street closings along East Montgomery for City events. The project acts as both a connection and anchor for the Town Center. It functions as a primary connection to Rockville Metro Station along East Montgomery Avenue as well as anchors the “entertainment district,” created by the Retail Pavilion development, with additional entertainment activities, street level retail and residential condominiums.
- Emphasis is placed on main street scale of massing. Varying heights are created along each street frontage with residential towers placed along a north-south axis. Heights are gradually increased with highest points located along the eastern portion of the site. Overall, a varying skyline is achieved through low, mid, and high-rise elements.
- Different uses are brought to the street level with varying heights, façade treatments, and residential unit types. Storefronts will utilize a 20-foot floor-to-floor height design. The materials used will incorporate brick, glass, and varied detailing throughout the project, from base to roofline. The development will provide design guidelines for retail entrances, displays, and signage (*Architectural concept plans, which were included in the initial submission of the development proposal, were for illustrative purposes. Final plans will be submitted at the Use Permit stage.*)
- Circulation and access is designed to carry vehicular traffic in front of retail to enter parking from the corner of East Montgomery Avenue and Renaissance Street. Patrons would exit the parking facility at the same point of vehicular entrance for clear orientation. Hardscape materials will reinforce the relationship between street front retail and adjacent Regal Theater providing reinforcing the use of space as both destination and departure site.
- The PDP reinforces the street grid in the Town Center providing opportunities to create “gateway corners.” Architectural treatments will create an identity for the project. Together with lowered heights and the placement of street level retail and lobby entrances, these corners will carry a consistent theme throughout the project.
- A projecting cornice line atop the second story (35 feet) will be created to define the street/pedestrian scale. This will produce a horizontal feature connecting each “gateway corner” and minimize the effects of grade change on the site. By locating the parking internally within the project, the development is brought up to the street, consistent with the Town Center Plan.
- The streetscapes incorporate 15-foot minimum sidewalk widths, street trees, and on-street parking to create a vibrant street design. Dimensions of the sidewalk along East Montgomery Avenue will expand to 24 feet at the intersection of Renaissance Street and

frame a pedestrian peninsula capable of accommodating public art and event gathering while allowing for unobstructed travel.

- The project incorporates urban open space into the design of sidewalks throughout with areas for public gathering, outdoor dining, and landscaped amenity areas. Renaissance Street will include both private and public open space for residents and pedestrians. Both street and sidewalk treatments will promote this use. A residential amenity area atop the parking garage will create an opportunity for private open space. (Final details will be provided at Use Permit Stage).

COMMUNITY NOTIFICATION PROCESS:

Notification cards were sent to abutting property owners informing them of the development proposal and pending Planning Commission and Mayor & Council meetings, where the subject application will be publicly heard and considered. Notices were sent to 250 property owners located in the site area, and to all civic association presidents in the City. A list of addresses is contained in the project's application file for public review and inspection.

/cdc/rlc/rjs

Attachments

Attachment "A" – Application Submittal & Update

Attachment "B" – Approval Letter PDP94-0001

Attachment "C" – Approval Letter PDP94-0001D

Attachment "D" – Response to Shadow Impact Study for Approved PDP

Attachment "E" – Staff Traffic & Transportation Analysis

Attachment "F" - Comparison of PPD to Use Permit Process

Exhibit "1" – Site Plan

Exhibit "2" - Site Plan of the Overall PDP

Exhibit "3" – Approved & Proposed Axonometric View of Development